

REMARKS

The specification has been amended to overcome the objection thereto and to correct other drafting errors. Favorable reconsideration is respectfully requested.

Claims 1, 8, 9 and 12 have been amended to overcome the rejection under 35 U.S.C. § 112. In this regard, claim 12 has been amended in a manner to clarify that contact is with the respective inclined faces which includes the rollers. It is respectfully submitted that the rejection under 35 U.S.C. § 112 has been overcome. Favorable reconsideration is respectfully requested.

The Examiner concedes that Van Hoose does not teach or suggest a sensor and a counter.

Although disclosing a counter at least at column 6, line 27 and following, the counter of Gaenssle counts the number of times that there is a charge in electric current to an electric motor in a preferred form. It should be appreciated that Van Hoose does not include an electric or air motor. How would the counter and sensor of Gaenssle be utilized in Van Hoose, and if utilized, how would the sensor of Gaenssle sense movement of “the first wedge past the second wedge” as recited in claim 1 as Gaenssle does not suggest that its sensor could do so?

Likewise, how would the counter of Hangs be utilized in Van Hoose, and if utilized, how would the counter of Hangs count movement of “the first wedge past the second wedge” as recited in claim 1 as Hangs does not suggest it could do so?

Thus, it is respectfully submitted that the rejection of claims 1 and 3-15 has been overcome. Favorable reconsideration is respectfully requested.

Claim 2 has been amended in a manner to define over Hsu. Thus, even assuming that it would be obvious to combine and modify the prior art in a manner contended by the Examiner (which the applicant asserts would require hindsight knowledge of the present invention if possible as there is no suggestion in the prior art to do so), the resulting combination/modification would not result in the construction recited in claim 2 as amended. It is respectfully requested that the rejection of claim 2 has been overcome for these separate and independent reasons. Favorable reconsideration is respectfully requested.

The Examiner has cited the United States patents listed in NOTICE OF REFERENCES CITED as A, B and E. By the lack of application of these references and others like them within the classes or subclasses searched, the Examiner apparently recognizes the clear patentability of the present invention over any of these references.

Therefore, since the claims of the present application have been shown to include limitations directed to the features of applicant's wrench capable of counting the number of times its torque reaches set values which are neither shown, described, taught, nor alluded to in any of the references cited by the Examiner, whether those references are taken singly or in any combination, the Examiner is requested to allow claims 1-15, as amended, of the present application and to pass this application to issue.

Respectfully submitted,

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